IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9422 OF 2005

Smt.Tara Y. Gajabe ....Petitioner
V/s.
The State of Maharashtra & Ors. ....Respondents

Mr.P.A. Pol for the Petitioner.
Ms.V.S. Mhaispurkar, AGP for Respondent Nos.1 to 3.
Mr.M.V. Aiya for Respondent No.4.

CORAM : S.J. VAZIFDAR, J.
DATED : 25TH JANUARY, 2007.

P.C. :

1. Rule. Rule returnable and heard finally.

2. The only grievance of the Petitioner is that the order in favour of Respondent No.4 allotting the ration shop was passed without considering the Petitioner's Revision Application.

3. The grievance is not justified. By an order dated 17.5.2005, the Controller of Rationing rejected the application of four Applicants including the Petitioner and Respondent No.4. Under the provisions of clause 30 of the Maharashtra Foodgrains Rationing (Second) Order, 1966, aggrieved party is entitled to file an application for revision within thirty days

from the date of any order by which he is aggrieved.

4. Respondent No.4 filed the Revision Application within time. The learned Minister heard the matter on 14.7.2005 and the order remained to be made. The order was made on 6.9.2005.

5. The Petitioner filed the Revision Application only on 1.9.2005. In other words, there was a delay of over three months. When the learned Minister heard the forth Respondent’s Revision Application, the Petitioner had not even filed the Revision Application. There is no mention in the Revision Application filed by the Petitioner as to when she received the order dated 17.5.2005. Nor is there any explanation for the delay.

6. In the circumstances, the order passed by the learned Minister cannot be said to be unjustified.

7. The Writ Petition is accordingly dismissed.